

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.08.2006

CORAM

THE HON'BLE MR. JUSTICE P. JYOTHIMANI

W.P.No.28374 of 2006 & M.P.No.1 of 2006

A.James Watt

... Petitioner

-vs-

1.The Chairman and Managing Director,
Tamilnadu Civil Supplies Corporation Limited.,
Chennai-10.

2.The Regional Manager,
Tamilnadu Civil Supplies Corporation Limited.,
Salem.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records of the second respondent in his proceedings in Na.Ka.No.D1/213/89 dated 02.11.2005 and quash the same.

For Petitioner : Mr.R.Ganesan

For Respondents : Mr. A. Edwin Prabhakar, GA

ORDER

This writ petition is filed challenging the impugned order of the 2nd respondent dated 2.11.2005 directing the recovery of amount of Rs.48,686.15/- from the salary of the petitioner in respect of storage loss stated to have been caused by the conduct of the petitioner. Admittedly, it is seen in the impugned order itself, there is an appeal available to the first respondent against the order of the 2nd respondent within 60 days.

2.The learned counsel for the petitioner would submit that in fact the petitioner has preferred an appeal on 3.1.2006 to the 1st respondent. The learned counsel would further submit that the recovery has been started from 2.11.2005.

3.I have heard the learned counsel for the petitioner and the learned Government Advocate, taking notice on behalf of the respondents.

4.In view of the fact that an appeal is available as per the impugned order itself and the petitioner has in fact filed an appeal, the 1st respondent, before whom the appeal is filed, is directed to dispose of the appeal dated 3.1.2006 against the impugned order of the 2nd respondent dated 2.11.2005 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs. Consequently, connected M.P.is closed.

ap

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

TO

- 1.The Chairman and Managing Director,
Tamilnadu Civil Supplies Corporation Limited., Chennai-10.
- 2.The Regional Manager,
Tamilnadu civil Supplies Corporation Limited.,Salem.

RL(CO)
SR/1.9.2006

W.P.No.28374 of 2006

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